

# **IMPACT ASSESSMENT FOR THE REVIEW OF THE DUAL-USE EXPORT CONTROL REGIME**

## **CONSULTATION STRATEGY**

### **1. Consultation actions already carried out**

The European Commission has conducted wide-ranging consultations to support the export control policy review, including formal public consultations, dedicated export control conferences, and regular outreach to key stakeholders.

#### **1.1. Green Paper (COM(2011) 393 final, 30.6.2011) and Staff Working Document (COM(2013) 710 final, 16.10.2013) “The dual-use export control system of the European Union: ensuring security and competitiveness in a changing world”**

The Green Paper launched the review of the dual-use export control regime and invited stakeholders to express their views about the EU export-control regime in place and about possible elements of its revision. The Green Paper also aimed at gathering information about the EU dual-use industry.

Specific questions were targeted to exporters and authorities of Member States, respectively. Several questions were addressed to all stakeholders, including also e.g. research institutes, civil society organisations and lawfirms etc.

Over 100 responses were received from stakeholders, including key EU and national business associations responding on behalf of their constituents. They were summarised in the Commission Staff Working Document “Strategic export controls: ensuring security and competitiveness in a changing world – A report on the public consultation launched under the Green Paper COM(2011) 393” (SWD(2013) 7 final, 17.1.2013).

This public consultation process was complemented by the presentation of a Report from the Commission to the Council and the European Parliament on the implementation of Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (COM(2013) 710 final, 16.10.2013). The report was required under Art. 25 of the Regulation and drew also on regular consultations with export control authorities.

#### **1.2. Conferences**

##### **1.2.1. Strategic Export Control Conference, 26/6/2013, Brussels**

Over 300 representatives of industry associations, dual-use companies, civil society, academia, and Member States' authorities participated in the

Conference which concluded the Green Paper consultation and was focused on problem definition and objectives of the review. The results of the discussion are summarised on [http://trade.ec.europa.eu/doclib/docs/2013/july/tradoc\\_151594.pdf](http://trade.ec.europa.eu/doclib/docs/2013/july/tradoc_151594.pdf).

### **1.2.2. Export Control Industry Forum, 23/10/2014, Brussels**

The Export Control Industry Forum brought together selected industry representatives with officials Member States authorities for a discussion of the review options outlined in the Communication from the Commission to the Council and the European Parliament “The Review of export control policy: ensuring security and competitiveness in a changing world” (COM(2014) 244 final, 24.4.2014). The results of the Forum are summarised on [http://trade.ec.europa.eu/doclib/docs/2014/october/tradoc\\_152858.pdf](http://trade.ec.europa.eu/doclib/docs/2014/october/tradoc_152858.pdf).

### **1.3. Regular outreach to key stakeholders**

Commission services have conducted regular outreach and maintained interaction with key stakeholders including key business associations and civil society organisations, and have participated in major relevant events<sup>1</sup>.

## **2. Ongoing consultation actions**

### **2.1. Data collection and analysis project:**

The external study focused on data collection about the EU dual-use industry and analysis of likely impacts of review options is under way. The consultants run online questionnaires for business associations, companies and licencing authorities of Member States, as well as interviews with key stakeholders among EU industry associations, academics and research institutes, NGOs, and Member States authorities. Moreover, any stakeholder wishing to contribute to the study can spontaneously contact the consultants ([http://trade.ec.europa.eu/doclib/docs/2015/april/tradoc\\_153352.pdf](http://trade.ec.europa.eu/doclib/docs/2015/april/tradoc_153352.pdf)). The final report is expected to be published in autumn 2015.

## **3. Planned consultation actions**

### **3.1. Open internet-based public consultation, planned for 15/7/2015-15/10/2015**

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<sup>1</sup> For ex. the Commission took part in a seminar on the control of cyber-surveillance technology at the Global Conference on Cyber-Security on 17 April 2014 in The Hague.

A questionnaire addressed to all stakeholders will focus on the objectives, review options and their likely impacts, as problem identification was covered by the public consultation on the Green Paper.

### **3.2. Export Control Policy Review Conference (December 2015)**

Stakeholders' consultations within the impact assessment process will be completed at this conference. The Conference will provide an opportunity to discuss the impacts of review options, their effectiveness and efficiency, before the Commission finalises its Impact Assessment Report for presentation to the Regulatory Scrutiny Board.

### **4. Dedicated website**

Information on the dual-use export control regime, including updates on the export control policy review, the impact assessment and stakeholders consultations, is available on <http://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>.